

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
April 26, 2016

The regular meeting of the Planning Commission Subdivision Committee of the County of Kaua'i was called to order at 8:33 a.m., at the Līhu'e Civic Center, Mo'ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Mr. Louis Abrams
Mr. Kimo Keawe
Mr. Roy Ho

The following staff members were present: Planning Department – Dale Cua, Chance Bukoski; Deputy County Attorney Jodi Higuchi-Sayegusa; Office of Boards and Commissions – Commission Support Clerk Darcie Agaran

Discussion of the meeting, in effect, ensued:

CALL TO ORDER

Vice Chair Abrams called the meeting to order at 8:33 a.m.

ROLL CALL

Vice Chair Abrams: Roll call, please.

Staff Planner Dale Cua: Chair Abrams?

Vice Chair Abrams: Here.

Mr. Cua: Commissioner Keawe?

Mr. Keawe: Here.

Mr. Cua: Commissioner Ho?

Mr. Ho: Here.

Mr. Cua: We have three (3) members present of the Subdivision Committee.

Vice Chair Abrams: Thank you.

MINUTES of the meeting(s) of the Subdivision Committee

Meeting of February 23, 2016

Vice Chair Abrams: We have minutes of the meetings of the Subdivision Committee. The first one is February 23, 2016.

Mr. Keawe: Move to approve February 23, 2016.

Mr. Ho: Second.

Vice Chair Abrams: Any comments or anything? If not, all those in favor say aye. (Unanimous voice vote) Opposed? (None) Motion carries 3:0.

Meeting of March 8, 2016

Vice Chair Abrams: Meeting of March 8, 2016.

Mr. Keawe: Move to approve March 8, 2016.

Mr. Ho: Second.

Vice Chair Abrams: Any comments or anything? All those in favor say aye. (Unanimous voice vote) Opposed? (None) Okay, motion passes 3:0.

RECEIPT OF ITEMS FOR THE RECORD (None)

Vice Chair Abrams: Can we go on? We have no items for the record.

Mr. Cua: We have none this morning.

GENERAL BUSINESS MATTERS (None)

Vice Chair Abrams: And...let's see. General Business Matters.

Mr. Cua: Actually, we have nothing listed on the agenda, but at this time, I would like to take the opportunity to introduce the newest member of the Planning Department. He is my protégé. His name is Chance Bukoski. He'll be doing a bunch of the subdivision reports and a lot of the regulatory permits as well. So his name is Chance.

Vice Chair Abrams: Bukoski?

Mr. Cua: Yes.

Vice Chair Abrams: Kōloa Bukoski?

Staff Planner Chance Bukoski: Aloha.

Vice Chair Abrams: Yeah, okay, I know um. (Laughter in background)

Mr. Keawe: Welcome.

Mr. Bukoski: Thank you.

Vice Chair Abrams: Thank you for stepping on.

Mr. Cua: Yes, thank you.

Vice Chair Abrams: Dale's got lots of work, so yeah, you are going to be a big, big help.
(Laughter in background)

UNFINISHED BUSINESS (None)

Vice Chair Abrams: Okay, no Unfinished Business.

NEW BUSINESS (For Action)

Tentative Subdivision Approval

Subdivision Application No. S-2016-15; TY & ARIANA OWEN; Proposed 2-lot Subdivision; TMK: (4) 2-7-006:037; Ōma'o, Kaua'i

Vice Chair Abrams: New Business. Tentative subdivision approval for Subdivision Application No. S-2016-15; Ty and Ariana Owen; proposed 2-lot subdivision; TMK: (4) 2-7-006:037; Ōma'o.

Mr. Cua: Okay. Thank you, Chair. At this time, what is being requested of the Committee Members is consideration of Subdivision Application No. S-2016-15, and it actually involves a 2-lot consolidation of an existing lot and a portion of an abandoned railroad right-of-way, and it resubdivides into two (2) lots within the Residential (R-2) zoning district. The preliminary subdivision map has been routed to the various reviewing agencies for their review and comment. These requirements have been incorporated into the Subdivision Report. At this time, the Department is recommending tentative subdivision approval of this application.

Vice Chair Abrams: Any questions for the Planner?

Mr. Keawe: I just had one (1). Where was...It said it was an old railroad right-of-way, but where is that on the map?

Mr. Cua: Sure. On the map that you have in front of you, the former railroad right-of-way is actually right up abutting against Ōma‘o Road. It’s that little strip of property.

Mr. Keawe: Oh. That’s that dotted line that goes...?

Mr. Cua: Exactly, exactly.

Mr. Keawe: Okay. And that was just that portion?

Mr. Cua: Right. Yes, so it’s kind of housekeeping.

Mr. Keawe: Yeah, okay.

Vice Chair Abrams: Any questions? Dale, does that old railroad go all the way up Ōma‘o Road?

Mr. Cua: Yes.

Vice Chair Abrams: Wow. Could use it for the (inaudible). (Laughter in background) Never mind, that’s... (Laughter in background)

Mr. Cua: That’s for another day.

Vice Chair Abrams: That’s another long story that we don’t really want to go into. Okay. Is the applicant’s representative here?

Brian Hennessy: Good morning. Brian Hennessy. Here to represent the Owen’s.

Vice Chair Abrams: Any questions for the applicant? Are the conditions of the tentative subdivision approval acceptable?

Mr. Hennessy: Yes, they are.

Vice Chair Abrams: Any other questions? If not, thank you. Motion?

Mr. Keawe: I move to tentatively approve Subdivision Application No. S-2016-15, proposed 2-lot subdivision, Ōma‘o, Kaua‘i.

Mr. Ho: Second.

Vice Chair Abrams: Moved and seconded. Any discussion? If not, all those in favor say aye. (Unanimous voice vote) Opposed? (None) Motion carries 3:0. Thank you very much.

Mr. Hennessy: Thank you.

Subdivision Application No. S-2016-16; KŌLOA VILLAGE LLC; Proposed 2-lot Subdivision; TMK: (4) 2-8-008:001; Kōloa, Kauaʻi

Vice Chair Abrams: Okay. Next item is tentative subdivision approval for Application No. S-2016-16; Kōloa Village LLC; proposed 2-lot subdivision; TMK: (4) 2-8-008:001; Kōloa, Kauaʻi. Subdivision report.

Mr. Cua: Okay. Thank you, Mr. Chair. What you have before you is a proposed 2-lot subdivision for a property situated within the Kōloa Town Core. As noted in the Subdivision Report, the proposal subdivides a portion of the subject property in order to accommodate road-widening improvements along several roadways which include Kōloa Road, Weliweli Road, and Waikomo Road. The purpose or intent of the subdivision is to allow for a wider right-of-way and to accommodate sidewalk improvements along the property. This is for a commercial development that obtained Planning Commission approval back in 2008. The preliminary map has been, again, routed to the various reviewing agencies for their review and comment. The agency comments have been incorporated into the Subdivision Report, and also attached to the Subdivision Report. The Department is recommending tentative subdivision approval of this application.

Vice Chair Abrams: Okay. Questions for the Planner, please?

Mr. Ho: Dale, Lot 494 is just that sliver? Where's 494?

Mr. Cua: Yes, Lot 494 is that skinny strip of property to accommodate the sidewalks. And then Lot 493, which is the remainder piece, will be developed into a commercial retail and residential project.

Mr. Ho: Do you have the width of that?

Mr. Cua: It actually varies. If you look at the Subdivision Report, on the first page, right in the middle, you have that one (1) section entitled "Existing Road Right-Of-Way(s)". At the end of that column, it shows or depicts the reserve that's being established along that specific roadways. So for example, for Kōloa Road, that reserve area or strip area is 5 feet wide, along Weliweli it's 10 feet wide, and along Waikomo it's 8 feet wide.

Mr. Ho: Thank you.

Mr. Keawe: So, Dale, that whole strip makes up that 0.31 acres?

Mr. Cua: Yes, correct.

Mr. Keawe: I had an interesting question. You know when you have to charge each lot an FRC charge, do they pay an FRC charge for that strip?

Mr. Cua: No, that particular fee will be paid at the time the project will be developed; when they come in and ask for the actual building permits actually.

Mr. Keawe: No, no. That part I understand, but will they be charged an FRC?

Mr. Cua: No, it's actually...at some point it will be incorporated into the County road right-of-way.

Mr. Keawe: Okay. Alright. I just thought it was strange if you are going to charge them for a sidewalk.

Mr. Cua: Yeah.

Vice Chair Abrams: Yeah, no, they don't. Dale, this is not a reserve. This is basically a dedication and the County will own this strip, right?

Mr. Cua: Right. And if you look at Condition 1.b. of the Subdivision Report, there is a condition that it be dedicated to the County of Kaua'i.

Vice Chair Abrams: Okay. And it will be dedicated in an improved state? Or they have to improve...put the sidewalk in? Or does the County put it in?

Mr. Cua: Generally speaking, what happens is they first would dedicate the strip of land, and then the improvements will be done at the time the project is developed.

Vice Chair Abrams: Okay, yeah, when they go through the zoning permits. Any other questions? Is the applicant here? Dennis?

Dennis Esaki: Morning. Dennis Esaki representing the applicant. As Dale said, this is part of the conditions for a residential and commercial project. It was in the books for a while. We took over afterwards, so I was not working on it since 2008.

Vice Chair Abrams: Yeah. Any questions for Dennis? No? Thank you, Dennis. Motion?

Mr. Ho: Motion (for) tentative approval, Kōloa Village LLC, TMK: (4) 2-8-008:001.

Vice Chair Abrams: That's a motion to approve. All those in favor?

Mr. Keawe: Second.

Vice Chair Abrams: Oh, second, yeah. Now we go. All in favor? (Unanimous voice vote) Okay, motion passes 3:0. Thank you very much, Dennis.

Subdivision Application No. S-2016-17; CHERYL COWDEN-SCHENCK/RILEY FAMILY REV. TRUST; Proposed 2-lot Boundary Adjustment; TMK: (4) 4-9-012:005, 011; Moloa'a, Kaua'i

Vice Chair Abrams: Onto our next tentative subdivision approval. Subdivision Application No. S-2016-17; Cheryl Cowden-Schenck/Riley Family Revocable Trust; proposed 2-lot boundary adjustment; TMK: (4) 4-9-012:005 and 011; Moloa'a, Kaua'i.

Mr. Cua: Thank you, Mr. Chair. What you have before you is a proposed boundary adjustment between an existing lot and a Kuleana parcel for two (2) properties in Moloa'a. The Department did make a note that since the proposal involves a Kuleana parcel, that the applicant should provide title insurance for the Kuleana prior to final subdivision approval. The preliminary subdivision map has been routed to the various reviewing agencies for their review and comment. The Department has incorporated these requirements into the Subdivision Report, and also attached, for your reference, the agency requirements. As a result, the Department is recommending tentative subdivision approval of this application. Just wanted to also note that I just got a late notification from the applicant that they had an unexpected trip, so they won't be in attendance for today's meeting.

Vice Chair Abrams: Okay. Any questions for the Planner?

Mr. Keawe: So they are consolidating, Dale? Is that what they're doing?

Mr. Cua: It's a boundary adjustment, but the formal terminology would be a consolidation of two (2) parcels, and then a resubdivision into those same two (2) parcels, so there's no net gain.

Mr. Keawe: And one of the parcels is land court? Is that...?

Mr. Cua: One of the parcels is a Land Commission Award, or Kuleana.

Mr. Keawe: Okay. And then what about the...you have a process? The heirs or whatever, you have to find out if you can clear title, right?

Mr. Cua: Correct. And that's the purpose of the title insurance requirement is to insure that there is clean title to the Kuleana before the boundary lines are adjusted.

Mr. Keawe: Okay. Whereabouts in Moloa'a is this?

Mr. Cua: This is actually as you proceed and it's near the bay area.

Mr. Keawe: It is near the bay?

Mr. Cua: Yes.

Mr. Keawe: Coming down the hill?

Mr. Cua: Coming down the hill, it's more towards the end.

Mr. Keawe: Oh, okay.

Mr. Cua: Yeah, maybe it's about 150 yards away from the bay.

Mr. Keawe: Oh, okay. So it's way down there.

Mr. Cua: It's way down, yeah.

Mr. Keawe: Okay.

Mr. Cua: Way inside.

Vice Chair Abrams: And I noticed there is a whole bunch of conditions relative to their ag plan and everything else that has to go to that.

Mr. Cua: Yes, correct.

Vice Chair Abrams: Was that something that was not implemented, I guess?

Mr. Cua: It's a standard requirement for properties that's situated within the State Agricultural Land Use District.

Vice Chair Abrams: Okay. Any other questions? If not, no applicant here. Motion?

Mr. Keawe: Move to approve Subdivision Application No. S-2016-17, proposed 2-lot boundary adjustment, Moloa'a, Kaua'i.

Mr. Ho: Second.

Vice Chair Abrams: Okay, we have a motion and a second. All those in favor say aye. (Unanimous voice vote) Opposed? (None) Motion carries 3:0.

Any other matters? If not, this meeting is adjourned.

ADJOURNMENT

Vice Chair Abrams adjourned the meeting at 8:46 a.m.

Respectfully submitted by:



Darcie Agaran
Commission Support Clerk

() Approved as circulated (add date of meeting approval).

() Approved as amended. See minutes of _____ meeting.